

Minutes Recap
Marysville City Council, Regular Meeting
November 13, 2001

000177

I. Call to Order	7:00 p.m.
II. Pledge of Allegiance	
III. Roll Call	Pedersen Absent
IV. Public Input on items not on the agenda	None
V. Approval of Minutes	
October 22, 2001 City Council Meeting	Approved as amended
November 5, 2001 City Council Work Shop	Approved
VI. Consent Agenda	
A. Claims in Amount of \$1,050,972.60; check numbers 62214-62612 with Check Nos. 62112, 61889, 59967 and 62455 Void.	Approved
B. Liquor License Renewals for Fred Meyer, Allen Creek Thriftway, Home Plate Bar & Deli, Hunter's Corner, and Strawberry Lanes.	Approved
C. Accept the Edwards Springs Booster Pump Station Project as Complete and Begin 45-Day Lien Filing Period.	Approved
D. Sign Temporary Water Agreement with Snohomish County P.U.D.	Approved
E. Approval of Contract for Deferred Construction of Curbs, Gutters & Sidewalks; Dennis Neal and Trisha Johnson.	Approved
F. Sign Commute Trip Reduction Interlocal Agreement with Snohomish County.	Approved
G. October, 2001 Payroll in the Amount of \$1,027,645.41; Paid by Checks 41788-41995 with Check Nos. 41843-41861 and 41995 Void.	Approved
VII. Public Hearing	
A. 2002 Proposed Budget	Continued
VIII. Current Business	
A. Robinette Annexation-PA 0102006.	Approved
IX. New Business	
A. Interlocal Agreement for Correction/Defetion of Prisoners with Yakima County.	Approved
B. Dykeman Architects Consultant Agreement.	Approved
C. Quilceda Vista Annexation-PA 0105026. Sewer/Water Authorization only.	Approved as amended
D. Welch Annexation-PA 0109038.	Continued
X. Ordinances and Resolutions	
A. Annexing Area Known as Scott Ray Area-Ordinance 2388	Approved
B. Amending MMC Pertaining to Garbage Collection and Yard Waste Rate Schedule-Ordinance 2389.	Approved
C. Non-Exclusive Franchise Agreement with Black Rock Cable & Amending Ordinance No. 2351-Ordinance 2390.	Approved
D. Amending Water Distribution Design & Construction Standards & Specifications-Ordinance 2391.	Approved
E. Amending Ordinance No. 2380 Relating to the Effective Date of the Annexation of Cedars on 60th Area-Ordinance 2392.	Approved
F. Levying Taxes upon All Property Real, Personal & Utility Subject to Taxation within Marysville city limits for the year 2002-Ordinance 2387.	Approved

Minutes Recap
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XI. Information Items/Mayor's Business	
Proclamation "For Our Kids--Tobacco Free Parks"	
XII. Meeting adjourned into Executive Session at 8:40 p.m.	
XII. Meeting resumed in Executive Session at 8:50 p.m.	
XIII. Adjourned at 9:10 p.m. with no action taken.	

ORIGINAL

000179

I. Call to Order

The mayor called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

The assembly joined in the pledge of allegiance to the flag.

III. Roll Call

A voice roll call of councilmembers was conducted. Attendance was as follows:

Councilmembers Present:
 Dave Weiser, Mayor
 Mike Leighan, Mayor Pro Tem
 Jim Brennick
 Suzanne Smith
 John Soriano
 Shirley Bartholomew
 NormaJean Dierck

Administrative Staff Present:
 Bob Carden, Police Chief
 Sandy Langdon, Finance Director
 Mary Swenson, Chief Administrative Officer
 Grant Weed, City Attorney
 Ken Winckler, Public Works Director
 Gloria Hirashima, Planning Director
 Roberta Stevens, Recording Secretary

Councilmember Pedersen was absent due to another meeting she was attending.

IV. Audience Participation

None.

V. Approval of Minutes

A. October 22, 2001 City Council Meeting.

Councilmember Dierck said that at the top of page 4 she said they might not be back next year, not that they wouldn't be back. **MOTION** by Bartholomew, second by Leighan to accept the minutes as amended. **MOTION** passed unanimously 6-0.

B. November 5, 2001 City Council Work Session.

MOTION by Leighan second by Bartholomew to accept the minutes as presented. **MOTION** passed 5-0. Councilmember Brennick abstained due to his being absent at that meeting.

VI. Consent Agenda

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- A. Approval of November 13, 2001 Claims in the Amount of \$1,050,972.60; Paid by Check Nos. 62214 through 62612 with Check No. 62112, 61889, 62081, 59967, and 62455 Void.**
- B. Approval of Liquor License Renewals for Fred Meyer, Allen Creek Thriftway, Home Plate Bar & Deli, Hunter's Corner, and Strawberry Lanes.**
- C. Accept the Edward Springs Booster Pump Station Project as Complete and Begin 45-Day Lien Filing Period.**
- D. Authorize Mayor to Sign Temporary Water Agreement with Snohomish County P.U.D. for the Period December 1, 2001 through March 31, 2002.**
- E. Approval of Contract for Deferred Construction of Curbs, Gutters and Sidewalks; Dennis O. Neal and Trisha D. Johnson.**
- F. Authorize Mayor to Sign Commute Trip Reduction Interlocal Agreement between Snohomish County and the City of Marysville.**
- G. Approval of October, 2001 Payroll in the Amount of \$1,027,645.41; Paid by Check Nos. 41788 through 41995 with Check Nos. 41843 through 41861 and Check No. 41995 Void.**

MOTION by Leighan, second by Soriano to approve consent items A-G.
MOTION passed unanimously 6-0.

VII. Public Hearing**A. 2002 Proposed Budget.**

Mayor Weiser noted that the original budget was a balanced conservative budget with a 6% increase. There were options to consider if I-747 passed and it did. Mayor Weiser recommended to approve the suggestions offered at the November 5 Work Session by Staff. There is funding in this new 1% increase budget for 7.5 new positions.

Mayor Weiser invited audience comments. No one choose to speak so Mayor Weiser closed the public portion of the hearing.

Councilmember Bartholomew asked, "Mr. Mayor, Is this budget capable of responding to the fact that the state of Washington is now officially in a recession?" Mayor Weiser said it is not easy to say which way it will fluctuate, but he believes that this budget is well prepared.

Ms. Swenson said that in the proposed budget the cuts were \$135,000. more than needed to balance the budget, so that after the first quarter we can see where we are and continue from there.

Councilmember Soriano asked if the priority order was from the bottom up on the list they had before them? Ms. Swenson responded that the Council will need to make those decisions if the time comes for reinstating any items.

MOTION by Bartholomew to approve the property tax levy Ordinance 2387, second by Smith. **MOTION** passed unanimously 6-0.

MOTION by Dierck, second by Smith to bring the budget back to the next meeting on November 26. **MOTION** passed unanimously 6-0.

VIII. Current Business

A. Robinette Annexation PA 0102006.

Ms. Hirashima said that the Staff recommends returning to the original boundary since the applicant has not been able to obtain the needed signatures for an enlarged boundary.

The hearing was opened for audience participation. No citizen asked to speak; the public testimony portion of the hearing was closed.

MOTION by Leighan, second by Bartholomew to reduce the size of the Robinette Annexation to the original application. **MOTION** passed 5-1 with Smith voting no.

IX. New Business

A. Interlocal Correction/Detention Agreement between the City of Marysville and Yakima County Department of Corrections.

Chief Carden gave an overview of the contract and the savings.

The audience was invited to comment, no one asked to speak; the public testimony was closed.

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MOTION by Smith, second by Leighan to approve the Detention Agreement between the City of Marysville and Yakima County.
MOTION passed unanimously 6-0.

B. Consultant Agreement for Facilities Plan; Dykeman Architects.

There was a discussion of the contents of the contract between Councilmembers and Staff.

The Mayor asked for audience comments, no one wished to comment; public comment was closed.

MOTION by Brennick, second by Soriano to approve the scope of work, not to exceed \$50,000. **MOTION** passed unanimously 6-0.

C. Quilceda Vista Annexation; PA 0105026.

Staff recommended waiving the annexation requirement and provide the water and sewer service and charging the out-of-City rates.

The audience was invited to comment on the annexation, no one chose to speak; the public comment portion was closed.

MOTION by Leighan, second by Bartholomew to waive required annexation to get water and sewer hook-up and to apply annexation covenants to this property. **MOTION** passed 4-2 with Smith and Dierck voting no.

C. Welch Annexation; PA 0109038.

Councilmember Brennick left the room due to his financial interest in this annexation.

Ms. Hirashima reviewed Options 1-4 that were covered in the November 5 Work Session.

Mr. Weed gave a detailed overview of the annexation by resolution process.

The Mayor asked for public input on this hearing.

Paul Weathered 4428 67th Ave. NE, Marysville spoke and does not want to be annexed into the City.

William Skinner 4527 67th Ave. NE, Marysville spoke and he does not want to be annexed into the City.

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Tom McCarty 7000 44th St. NE, Marysville asked, if the annexed people would be provided City water and sewer? Mayor Weiser responded that they would have P.U.D. water and City sewer. Mr. McCarty then asked when will sewer be available in this area? Mr. Winckler responded that he is unable to answer that question at this time. Mr. McCarty said he understands that they would be the very last to get sewer hook-ups. Mayor Weiser said that location rather than annexation determines sewer availability. Mr. McCarty asked if it would be less in taxes? Mayor Weiser said that currently City taxes are slightly less than County taxes.

Ramona Fletcher owns property at 4404 67th Ave. NE, Marysville, her residence is 3416 Bell Ave., Everett, 98201. She is in favor of the annexation if it can be shown to be beneficial to her.

Durla Whetam 6730 44th St. NE, Marysville. She feels that the best thing would be to be annexed.

The public testimony portion of the hearing was closed.

Councilmember Leighan said he believes that there should be a public meeting for those people affected since there are questions that these citizens have.

MOTION by Leighan, second by Bartholomew to hold a neighborhood meeting with the residents being affected by an expanded boundary and proceed with the petition annexation (Option 2). **MOTION** passed 5-0, with Brennick abstaining.

X. Ordinances and Resolutions

A. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Scott Ray Annexation Area into the City of Marysville.

MOTION by Bartholomew, second by Leighan to approve the Scott Ray Annexation, Ordinance 2388. **MOTION** passed unanimously 6-0.

B. An Ordinance of the City of Marysville Amending Section of the Marysville Municipal Code Pertaining to Rates for Garbage Collection; and Amending Section 7.08.111 of the Marysville Municipal Code Relating to Yard Waste Rate Schedule.

MOTION by Bartholomew, second by Leighan to approve the Rates for Garbage and Yard Waste, Ordinance 2389. **MOTION** passed 4-2 with Dierck and Smith voting no.

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C. An Ordinance of the City of Marysville Extending a Non-Exclusive Franchise Agreement to Black Rock Cable, Inc. and Amending Ordinance No. 2351.

MOTION by Leighan, second by Brennick to approve the Black Rock Cable Agreement, Ordinance 2390. **MOTION** passed unanimously 6-0.

D. An Ordinance of the City of Marysville, Washington Amending Water Distribution Design and Construction Standards and Specifications (Chapter 2); Amending Engineering Design and Development .

MOTION by Leighan, second by Smith to approve the Water Distribution Design and Construction Standards, Ordinance 2391. **MOTION** passed unanimously 6-0.

E. An Ordinance of the City of Marysville Amending Ordinance 23* No. 2380 Relating to the Effective Date of the Annexation of Certain Unincorporated Area Known as the Cedars on 60th Annexation Area.

MOTION by Bartholomew, second by Brennick to approve the Cedars on 60th Annexation, Ordinance 2392. **MOTION** passed unanimously 6-0.

F. An Ordinance of the City of Marysville Levying Taxes upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2002.

XI. Information Items

A. Mayor's Business.

1. Proclamation – "For Our Kids – Tobacco Free Parks".

Mayor Weiser read the Proclamation and said the official ceremony would take place on November 15 at Jennings' Park. He noted that Marysville is the first city in Snohomish County to have our Parks tobacco free.

B. Staff Business.

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Chief Carden invited the Council to visit the newly remodeled Dispatch center.

Ms. Swenson said she wanted to thank Finance Director Langdon and her staff for the outstanding job she did on the budget, and also the department heads for cooperating to reduce the budget.

Ms. Hirashima reminded the Council of the joint Council/Planning meeting on November 27 at the Ken Baxter Senior/Community Center at 7:00 p.m. A date has not been scheduled yet for the Lakewood Annexation neighborhood public meeting.

Mr. Winckler reminded the Council that the Utility committee was meeting this Thursday.

C. Call on Councilmembers.

Councilmember Dierck stated that she still had not received the memo for possible sites for a parking lot downtown. Mayor Weiser said they would be discussing the issue during the Executive Session right after the meeting. Councilmember Dierck said she still wanted a memo.

Councilmember Leighan asked Chief Carden about the animal medical bill for \$200. The Chief said there is supposed to be a \$100 limit on that, and he would check into it. Councilmember Leighan asked Mr. Winckler about the increase in complaints regarding dirty water and low pressure. Mr. Winckler said that after the water shortage this summer, the City is back at flushing the mains now. Councilmember Leighan asked about the alley repair jobs that have been going on for four weeks, and what is causing it to take so long? Mr. Winckler said that they are replacing sewer lines in the alley way, and in some cases they have sanitary sewer connections and storm lines to install.

Councilmember Smith asked about the annexation referendum and said she didn't know we had the right of referendum; Mr. Weed responded that it is governed by State statute, and these people are County residents not City residents. Councilmember Smith said she also wants a copy of property list for parking lots.

Councilmember Soriano asked Ms. Swenson about the exit interview with the State Auditors on Friday. It was determined that the Auditors would be holding two meetings so that the majority of the Council members could attend.

D. Change Order for Edward Springs Booster Pump Station.

E. Planning Commission Minutes; September 25, 2001.

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XII. Adjournment

Meeting adjourned into Executive Session at 8:40 p.m.

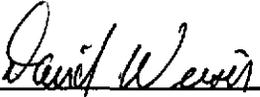
XIII. Executive Session

The meeting resumed in Executive Session at 8:50 p.m.

XIV. Adjournment

The meeting adjourned at 9:10 p.m. with no action taken.

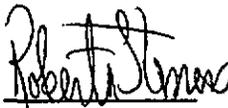
Approved this 26th day of November 2001.



Mayor



City Clerk



Recording
Secretary

I. Call to Order

The meeting was called to order by Mayor Weiser at 7:00 p.m.

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II. Pledge of Allegiance

The assembly joined in the Pledge of Allegiance to the flag.

III. Roll Call

A voice roll call of councilmembers was conducted. Attendance was as follows:

Councilmembers Present:

- Dave Weiser, Mayor
- Mike Leighan, Mayor Pro Tem
- NormaJean Dierck
- Suzanne Smith
- John Soriano
- Donna Pedersen

Administrative Staff Present:

- Bob Carden, Police Chief
- Sandy Langdon, Finance Director
- Mary Swenson, Chief Administrative Officer
- Grant Weed, City Attorney
- Gloria Hirashima, Planning Director
- Ken Winckler, Public Works Director
- Roberta Stevens, Recording Secretary

Mayor Weiser noted that Councilmember Brennick was attending another meeting, and that Councilmember Bartholomew was ill.

IV. Discussion Items

A. Quil Ceda Vista Annexation; PA 0105026.

Ms. Hirashima said that the Quil Ceda Vista Annexation was back before council because covenants were not quoted properly for the County approval; the applicant has attempted to get more signatures, but only has 45%. Valuation of completed plat would garner the needed assessed value and the smaller plat is contiguous to the eastern border of the city limits.

Mayor Weiser asked if there was anything that could be done with the covenants that were filed late that we can use next time. Mr. Weed said that the property changed hands between the time they were signed, and the new property owners are not bound by the signature of the former owners.

Councilmember Smith asked if the City approved the sewer hook-up before the annexation process? Ms. Hirashima said it was done simultaneously.

Councilmember Leighan asked how the covenants are handled. Ms. Swenson said that weekly they go to the County for recording and currently the City is asking at the time they sign the annexation covenant if there is likely to be a change of ownership. 000173

B. Welch Annexation; PA 0109038.

Ms. Hirashima said the applicant came in to apply for utilities, the annexation could be pursued via several options. Option 1 of the 22.6 acres could be annexed by resolution. Option 2 is 2.47 acres would square up a portion on 72nd avenue. Option 3 annexation by resolution is allowed if it is less than 100 acres, and 80% is contiguous to the City boundary, could be extended to 40th St.

Mr. Weed said that he cannot recite all the procedures but that it does still require a public hearing. Jurisdiction of the Boundary Review Board could still be invoked. Mr. Weed will provide more information on annexing by resolution at the next meeting.

V. Other Items Scheduled for November 13, 2001 Meeting

A. Approval of Minutes.

1. October 22, 2001 City Council Meeting

2. November 5, 2001 City Council Work Session

B. Approval of November 13, 2001 Claims.

C. Approval of Liquor License Renewals for Fred Meyer, Allen Creek Thriftway, Home Plate Bar & Deli, Hunter's Corner, and Strawberry Lanes.

No discussion.

D. Accept the Edward Springs Booster Pump Station Project as Complete and Begin 45-Day Lien Filing Period.

No discussion.

E. Authorize Mayor to Sign Temporary Water Agreement with Snohomish County P.U.D. for the Period December 1, 2001 through March 31, 2002.

Councilmember Leighan asked if this was the same agreement that the City has been working on for quite some time? Mr. Winckler, said, yes they are hoping to bring the agreement to the council in December.

Councilmember Smith asked why it was taking so long; Mr. Winckler said they had to get an agreement and with recent personnel changes that have taken place in Snohomish County the chances are greatly improved for reaching an agreement. Mr. Wade's untimely demise has necessitated in his staff doing an extensive review of the agreement.

Councilmember Soriano asked what capacity is used? Mr. Winckler said up to 1MGPD and the full capacity is 17MGPD.

F. Approval of Contract for Deferred Construction of Curbs, Gutters and Sidewalks; Dennis O. Neal and Trisha D. Johnson.

No discussion.

G. Authorize Mayor to Sign Commute Trip Reduction Interlocal Agreement between Snohomish County and the City of Marysville.

No discussion.

VI. Public Hearing

A. 2002 Proposed Budget.

Councilmember Smith had questions answered on each Plan B item.

VII. Current Business

A. Robinette Annexation PA 0102006.

Ms. Hirashima noted that this was the same one that has been worked on for several meetings. They contacted Christine Evans, and she was not interested in being a proponent to this annexation. The applicant has not been able to get the rest of the required signatures.

Councilmember Leighan asked were the applicant's issues outlined in his letter correct, and had he made several calls to get water and sewer connected? Ms. Hirashima noted that much of the short plat is in Snohomish County. Councilmember Leighan asked what are his terms, if we accept, does he deed them over to the city? Mr. Winckler, yes, that is correct. He has not gotten his short plat approved. Mr. Winckler gave background on outside versus inside City rate. Councilmember Leighan asked at what point do the fees have to be paid? If he is annexed first then the in-City rates would apply, but right now he would pay the outside-City rate as of Dec. 30, 2000. Ms. Hirashima noted that it has not been a condition of hook-up that the annexation be completed prior to the hook-up. Outside City rates would apply, unless the annexation is completed.

Councilmember Smith asked, did we have those conditions in 1998? Mr. Weed said those conditions have been in effect since around 1976.

VIII. New Business

A. Interlocal Correction/Detention Agreement between the City of Marysville and Yakima County Department of Corrections.

Councilmember Soriano asked if there were any problems with transporting prisoners that distance. Chief Carden said that there were not. The counts would be combined with Snohomish County for the daily rates.

B. Consultant Agreement for Facilities Plan; Dykeman Architects.

Ms. Swenson noted that the contract would be available for the City Council to review this week.

IX. Ordinances & Resolutions.

A. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Scott Ray Annexation Area into the City of Marysville.

No discussion.

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B. An Ordinance of the City of Marysville Amending Section 7.08.110 of the Marysville Municipal Code Pertaining to Rates for Garbage Collection; and Amending Section 7.08.111 of the Marysville Municipal Code Relating to Yard Waste Rate Schedule.

Mr. Weed advised that some miscellaneous charges that were not discussed at the time the consultant was here were included in the ordinance. The same percentage increases apply across the board.

C. An Ordinance of the City of Marysville Extending a Non-Exclusive Franchise Agreement to Black Rock Cable, Inc. and Amending Ordinance No. 2351.

No discussion.

D. An Ordinance of the City of Marysville Adopting Design Development Standards.

Information will be forthcoming this week. Mr. Weed indicated that the ordinance is being prepared now.

X. Information Items

A. Mayor's Business

There is a proposed development at the north end of the City, that might require some zoning modification. He would like to have a workshop with the Planning Commission on either Tuesday, November 20 or Tuesday, November 27, 2001 to discuss this issue. At least one or two Planning members will not be available on November 20. Councilmember Leighan's preference is that the workshop be held on the 27th if Planning members will be there. That was a general consensus of the rest of the Council. Ms. Swenson said that the workshop will be at 7:00 p.m. on November 27 at Ken Baxter Senior/Community Center.

1. Proclamation – "For Our Kids – Tobacco Free Parks".

B. Staff Business

Chief Carden said that one of the motorcycle traffic units is here, it is a loaner until the new ones arrive for the City. He is looking into a Chaplain program and asked anyone with a recommendation to contact him.

Mr. Weed said that during the last session the Legislature passed HB 1750 relating to street vacation, prior to this only ½ of the charges of appraised value could be recovered, the new law says 100% can be recovered if the street has been in use for 25 years or more. Also, where the revenue may be used is restricted. Mr. Weed asked if the Council would like him to prepare an ordinance to go along with the new state law? Councilmember Leighan said yes, he would like to have that option. Mr. Weed said he was gauging interest. He will research Renton's street vacation without reimbursement for developers, per Councilmember Leighan's suggestion. The City would have to justify the vacation without the compensation.

Mr. Winckler announced that Larry Price has been hired as the Fleet/Facilities manager.

C. Call on Councilmembers

Councilmember Dierck asked if any date had been set for the neighborhood meeting; Ms. Swenson said they were considering a January meeting, due to the holidays. The consultant should be on board by that time and she would like that person to be part of the process.

Councilmember Dierck asked Mr. Winckler if he was going to write a letter to the citizen that had written to the Department of Ecology, and when would she receive a copy? Mr. Winckler said, no, he was not instructed to write a letter. The Department of Ecology is to write the letter to the citizen and send a copy to the City, Mr. Winckler will make a copy of that letter available when he receives it.

Councilmember Dierck asked about the purchase of a lot for parking downtown; Mr. Winckler said the consultant is working with the downtown businesses/owners. Mayor Weiser said that three parcels had been identified and the owners were not willing to sell, they have found one more, but have heard nothing back from the property owner.

Councilmember Leighan noted that there seems to be a lot of potholes lately and crews are patching them, is it because of all the rain? Mr. Winckler said that has got to be it, it is a failure of the sub grade.

Councilmember Smith stated she had attended Library Board meeting and Joan Clyde's term is up; the rest of the Board members are trying to get other citizens to apply. Maggie Buckholtz has accepted the Librarian position permanently. Chairs and furniture items are going to need to be replaced, some funds may be available from Interfund rent. The security scanner is scanning about 800-900 people a day.

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Councilmember Smith said she also wants a copy of the DOEC letter to the citizen when it arrives. She said that a citizen asked about changing the parking on SR 528 in the future. The property owners are upset that there is a chance it is going to go away. She suggested looking into having part time parking during certain hours like Seattle does, and asked, can we discuss this?

Councilmember Smith said she asked quite awhile ago about Boulevard Grocery. Mr. Winckler replied that Robin Nelson is the one that gave the material to her and she would need to go down to Public Works and talk to Mr. Nelson.

Councilmember Soriano said he had attended a North County Kid's Future Summit meeting, and he could make some notes out for Lillie to copy if the Council would like. The Council agreed that they would like to see his notes.

D. Change Order for Edward Springs Booster Pump Station.

E. Planning Commission Minutes; September 25, 2001.

XI. Executive Session

Meeting adjourned into Executive session at 8:20 p.m. to discuss a real estate matter.

Meeting reconvened and adjourned at 8:32 p.m. with no action taken.

Accepted this 13th day of November, 2001.

David Weiser
Mayor

Perry Becker
City Clerk

Robert Stenew
Recording Secretary